

# RIO GRANDE SUN



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To: Office of New Mexico Attorney General Gary King  
Civil Division

Feb. 14, 2008

From: Sarah Welsh  
Assistant News Editor  
Rio Grande SUN


This is a formal complaint under the New Mexico Open Meetings Act. On Jan. 9, I mailed a letter to the interim president of the Abiquiu Land Grant Board of Directors, Gilbert Ferran, formally requesting all Board meeting minutes from 2007. (See attachment A.) Mr. Ferran received the letter on Jan. 11 and immediately denied the request on the grounds that the organization, which he referred to as the Abiquiu Livestock Association, is still a private organization and not a municipality or a land grant. Mr. Ferran then stated that the organization does not need to abide by the Open Meetings Act until a set of bylaws is approved by the full membership. (See attachment B.)

However, the Land Grant exists as a political subdivision of the state. The state House and Senate recently passed a joint resolution that would transfer approximately 32.5 acres of state-owned land to the Land Grant. That resolution refers to the Abiquiu Land Grant as a political subdivision. (See attachment C.)

Secondly, librarians at the State Library have indicated that the Abiquiu Land Grant was confirmed by the court of private land claims in 1894, and that it also appears in documents related to the surveyor general's report. I believe those documents make Abiquiu an official land grant under NMSA 49-1-2. Finally, the 2004 report of the U.S. Government Accountability Office listed the Abiquiu Land Grant as one of 55 land grants having original documentation, and the Grant registered itself with the Secretary of State in 2005. (See attachments D, E and F.)

The 15-day deadline for provision of the records has passed, and I believe the denial of my request was unjustified. Please provide clarification on whether the Abiquiu Livestock Association/Land Grant is required to comply with the requirements of the Open Meetings Act, and specifically the requirements to keep meeting minutes and make decisions in open session. Thank you.

Sincerely -

  
Sarah Welsh

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